



Attorney Docket No. PC25042A

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By

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Anthony David Auffret, et al. :
SERIAL NO.: 10/626,811 : Examiner: M.C. Henry
FILED: July 23, 2003 : Art Unit: 1623
FOR: PROCESS FOR MAKING ORALLY :
CONSUMABLE DOSAGE :

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Madam or Sir:

RESPONSE UNDER RULE 37 C.F.R. §1.121

Responsive to the Office Action of September 21, 2004, reconsideration and reexamination of this application are requested in view of the following amendments and comments.

Please amend this application as follows:

In the rejection of the claims for obviousness over Mori et al., the Examiner states that "it is common and obvious to use or add enzymes that specifically catalyze the breakdown of substrates... that are constituents of consumable compositions as to facilitate the digestion of said substrates". Presumably, the Examiner is referring to the use of such enzymes in the preparation of, for example, soft-center chocolates. Such prior use, however, cannot be said to make obvious the present invention wherein the enzymes are employed to reduce the viscosity of a cast composition in order to improve its oral availability.

With respect to the rejection of claims 9 and 10 in view of Mori et al., Applicants submit that while gamma-irradiation is known for the "processing or sterilization of foods, consumables and the like", they are not aware of any teaching that such radiation may be used as a means for reducing the viscosity of a film in order to enhance its oral uptake.

Applicants submit that the cited references do not teach nor do they suggest the various combinations and manipulations that would be required, but are deemed obvious by the Examiner, to arrive at the process disclosed herein. Withdrawal of all rejections under 35 USC 103 is requested.

In view of the instant amendments and comments, this application is believed to be in condition for allowance. Favorable consideration is respectfully requested.

The Commissioner is hereby authorized to charge any fees required pursuant to 37 CFR §§1.16 and 1.17, or to credit any overpayment to Deposit Account No. 16-1445.

Date: Dec. 16, 2004

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Respectfully submitted,

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